

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

**PORT HAMILTON REFINING AND
TRANSPORTATION, LLLP,**

PLAINTIFF,

V.

**LIMETREE BAY TERMINALS, LLC, D/B/A OCEAN
POINT TERMINALS AND ALL OTHERS CLAIMING AN
INTEREST IN ANY IMPROVEMENTS LOCATED ON
ANY OF THE FOLLOWING PROPERTIES:**

**REFINERY PLOT 1-AB, (COMPRISING 6.8818 U.S.
ACRES) AND REMAINDER OF REFINERY PLOT NO. 1
(COMPRISING 114.9456 U.S. ACRES), OVER PORTIONS
OF ESTATES BLESSING AND HOPE, KING AND QUEEN
QUARTERS, ST. CROIX, U.S. VIRGIN ISLANDS AS
SHOWN ON OLG DRAWING NO. A9-L 40-C0 19, DATED
MAY 24, 2019;**

**REMAINDER OF REFINERY PLOT NO. 2 (COMPRISING
26.5670 U.S. ACRES), OVER PORTIONS OF ESTATES
BLESSING, HOPE AND JERUSALEM, KING AND QUEEN
QUARTERS, ST. CROIX, U.S. VIRGIN ISLANDS AS
SHOWN ON OLG DRAWING NO. A9-142-C019, DATED
MAY 30, 2019; AND**

**REMAINDER OF REFINERY PLOT NO. 3 (COMPRISING
184.4305 U.S. ACRES), OVER PORTIONS OF ESTATES
JERUSALEM, FIGTREE HILL AND CASTLE COAKLEY
LAND, QUEEN QUARTER, ST. CROIX, U.S. VIRGIN
ISLANDS AS SHOWN ON OLG DRAWING NO.
A9-141-C019, DATED MAY 24, 2019.**

DEFENDANTS.

CASE NO. 1:24-CV-00004

MOTION TO REMAND

Port Hamilton Refining and Transportation, LLLP (“Port Hamilton”) moves to remand this matter to the Superior Court of the Virgin Islands for the following reasons, as more fully explained in the accompanying memorandum in support of motion:

1. Ocean Point’s removal of the action was untimely such that this Court lacks jurisdiction;
2. The Court lacks post-confirmation jurisdiction over the dispute;
2. The Court is required to abstain from the case;
3. Even if abstention is not mandatory, as a matter of sound exercise of the Court’s discretion, it should abstain from the matter.

Respectfully submitted,

ANDREW C. SIMPSON, P.C.,
Counsel for Port Hamilton Refining and
Transportation, LLLP

Dated: April 5, 2024

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